

# 3

PATENT  
P04532US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Jilka, et al.  
SERIAL NO : 10/086,0625  
FILED : February 28, 2002  
TITLE : NOVEL PLANT PROMOTER SEQUENCES AND METHODS OF  
USE FOR SAME

Grp./A.U. : 1635  
Examiner : Epps, J.  
Docket No. : P04532US1

**STATEMENT THAT "SEQUENCE LISTING" AND COMPUTER READABLE  
COPIES ARE THE SAME AND PAPERS SUBMITTED INCLUDES NO NEW  
MATTER IN ACCORDANCE WITH 37 CFR §§ 1.821-1.825**

Assistant Commissioner of Patent  
Washington, D.C. 20231

Dear Sir:

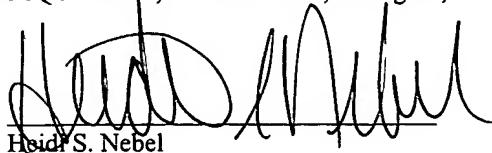
I, Heidi S. Nebel, hereby state the following:

1. I am the attorney of record for the above-identified case.
2. The content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825 (b), or 1.825(d).
3. Please direct entry of the "Sequence Listing" submitted herewith into the specification of the above-identified case.

---

CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

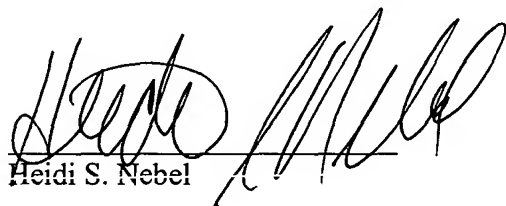
I hereby certify that this correspondence is being mailed via first class mail, in an envelope addressed to: United States Patent and Trademark Office, BOX SEQUENCES, P.O. Box 2327, Arlington, VA 22202, on this 10 day of June, 2002.

  
Heidi S. Nebel

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

Dated

6/10/02

  
Heidi S. Nebel

Respectfully submitted,

  
Heidi S. Nebel, Reg. No. 37,719  
McKEE, VOORHEES & SEASE  
801 Grand Avenue, Suite 3200  
Des Moines, Iowa 50309-2721  
Phone No. (515) 288-3667  
Fax No. (515) 288-1338  
**CUSTOMER NO: 22885**  
Attorneys of Record

- tb -

**PATENT**  
**P04532US1**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Jilka, et al.  
SERIAL NO : 10/086,062  
FILED : February 28, 2002  
TITLE : NOVEL PLANT PROMOTER SEQUENCES AND METHODS OF  
USE FOR SAME

Grp./A.U. : 1635  
Examiner : Epps, J.  
Docket No. : P04532US1

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID  
SEQUENCE**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

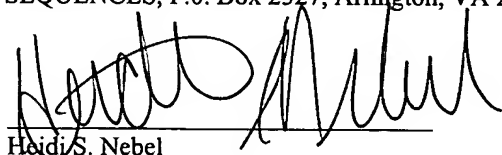
This replies to the Notice to Comply With Requirements For Patent Applications  
Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, dated April 10,  
2002.

Submitted herewith are:

- (a) A copy of the Notice to Comply with Requirements for Patent Applications  
Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures is  
enclosed.
- (b) A paper copy of the "Sequence Listing" for the nucleotide and/or amino acid  
sequences in this application.

CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

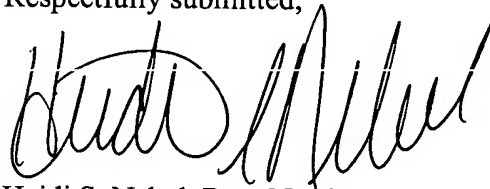
I hereby certify that this correspondence is being mailed via first class mail, in an envelope addressed  
to: United States Patent and Trademark Office, BOX SEQUENCES, P.O. Box 2327, Arlington, VA 22202, on  
this 10 day of June, 2002.



Heidi S. Nebel

- (c) A copy of the "Sequence Listing" submitted for this application in computer readable form, in accordance with the requirements of 37 CFR §1.821(e) and 1.824.
- (d) Statements that the content of the sequence listing information recorded in computer readable form is identical to the written sequence listing and, where applicable, includes no new matter and a statement directing the entry of the "Sequence Listing" submitted herewith be entered into the application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Heidi S. Nebel". The signature is fluid and cursive, with the first name "Heidi" being more prominent than the last name "Nebel".

Heidi S. Nebel, Reg. No. 37,719  
McKEE, VOORHEES & SEASE  
801 Grand Avenue, Suite 3200  
Des Moines, Iowa 50309-2721  
Phone No. (515) 288-3667  
Fax No. (515) 288-1338  
**CUSTOMER NO: 22885**  
Attorneys of Record

- tb -